

1 Joseph Kistler  
NV Bar No. 3458  
2 Todd W. Prall  
NV Bar No. 9154  
3 HUTCHISON & STEFFEN, PLLC  
Peccole Professional Park  
4 10080 Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
5 Telephone: (702) 385-2500  
Facsimile: (702) 385-2086  
6 E-mail: *jkistler@hutchlegal.com*  
E-mail: *tprall@hutchlegal.com*  
7  
8 Dirk O. Julander  
CA Bar No. 132313 (*Pro Hac Vice*)  
JULANDER, BROWN & BOLLARD  
9 9110 Irvine Center Drive  
Irvine, California 92618  
10 Telephone: (949) 477-2100  
Facsimile: (949) 477-6355  
11 E-mail: *doj@jbblaw.com*  
12 *Attorneys for Plaintiff BRENT GEPHART*

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA, LAS VEGAS DIVISION**

15 BRENT GEPHART, an individual,

16 Plaintiff,

17 vs.

18 DOUG MERRYMAN, an individual, and as  
19 the managing member of OPMNY, LLC

20 Defendant.

Case No. 2:18-cv-01670-GMN-CWH

**STIPULATION AND ORDER RE:  
HEARING DATE FOR EMERGENCY  
MOTION TO INTERVENE**

Action Filed: September 1, 2018

21  
22 The parties, by their undersigned counsel, hereby respectfully submit the  
23 following Stipulation and Order re: the Hearing Date for the Emergency Motion to  
24 Intervene or, In the Alternative, Remand. (Dkt. #43.)

25 **STIPULATION**

26 WHEREAS, on November 26, 2018, Proposed Plaintiff-in-Intervention  
27 OPMNY, LLC filed an Emergency Motion to Intervene or, In the Alternative,  
28 Remand (Dkt. #43; hereinafter the “Motion”);



1 WHEREAS, on January 3, 2019, the Court set a hearing on the Motion for  
2 Wednesday, January 9, 2019, at 1:30 p.m. (Dkt. #58);

3 WHEREAS, counsel for Plaintiff Brent Gephart is unavailable on January  
4 9, 2019 to attend the hearing; and

5 WHEREAS, counsel have conferred and determined that all counsel are  
6 available for the hearing on the Motion on January 10, 2019, at 1:30 p.m.

7 THEREFORE, the parties agree and stipulate that the hearing on the  
8 Motion be continued to January 10, 2019, at 1:30 p.m., in LV Courtroom 7D  
9 before Chief Judge Gloria M. Navarro.

10  
11 **IT IS SO STIPULATED.**

12  
13 DATED: January 4, 2019

HUTCHISON & STEFEN, LLC

14  
15 By: /s/ Dirk O. Julander

16 Joseph Kistler (3458)  
17 *jkistler@hutchlegal.com*  
18 Todd W. Prall (9154)  
19 *tprall@hutchlegal.com*  
20 Peccole Professional Park  
21 10080 Alta Drive, Suite 200  
22 Las Vegas, Nevada 89145

23 JULANDER, BROWN & BOLLARD  
24 Dirk O. Julander, Bar No. 132313  
25 *doj@jbblaw.com*  
26 *(Pro Hac Vice)*  
27 Catherine A. Close, Bar No. 198549  
28 *cac@jbblaw.com*  
*(Pro Hac Vice)*  
9110 Irvine Center Drive  
Irvine, California 92618

*Attorneys for Plaintiff Brent Gephart*

1 DATED: January 4, 2019

GARMAN TURNER GORDON LLP

2  
3  
4 By: /s/ Dylan T. Ciciliano

Erica Pike Turner (6454)

eturner@gtg.legal

Dylan T. Ciciliano (12348)

dciciliano@gtg.legal

650 White Drive, Suite 100

Las Vegas, Nevada 89119


8 *Attorneys for Defendant Doug Merryman and*  
9 *Proposed Plaintiff-in-Intervention*  
10 *OPMNY, LLC*

11 **ORDER**

12 Pursuant to the stipulation of counsel, and good cause appearing, it is hereby  
13 ORDERED that the hearing on the Emergency Motion to Intervene or, in the  
14 Alternative, Remand (Dkt. #43) filed by Proposed Plaintiff-in-Intervention  
15 OPMNY, LLC will take place on January 10, 2019, at 1:30 p.m., in LV  
16 Courtroom 7D.

17 **IT IS SO ORDERED.**

18 **DATED** this 8 day of January, 2019.

19  
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21  
22   
23 GLORIA M. NAVARRO  
24 Chief Judge  
25 United States District Court  
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JULANDER | BROWN | BOLLARD  
ATTORNEYS AT LAW

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of January 2019, a true and correct copy of  
**STIPULATION RE: HEARING DATE ON EMERGENCY MOTION TO  
INTERVENE** was served via the United States District Court CM/ECF system on  
all parties or persons requiring notice.

By /s/ Crystal Fowler  
Crystal Fowler, an Employee of  
JULANDER, BROWN & BOLLARD